

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Sergio Ernesto Garcia,

Case No. 22-CV-444 (SRN/BRT)

Petitioner,

v.

ORDER

B. Eischen,

Respondent.

Sergio Ernesto Garcia, Reg No. 05182-059, FPC-Duluth, P.O. Box 1000, Duluth, MN 55814, *pro se* Petitioner.

Ana H. Voss and Adam J. Hoskins, United States Attorney's Office, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for Respondent.

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Becky R. Thorson dated August 16, 2022 [Doc. No. 11]. No objections to the Report and Recommendation have been filed in the time period permitted by the Local Rules.

Accordingly, based on the foregoing and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation [Doc. No. 11] is ADOPTED;
2. The Petition for Writ of Habeas Corpus pursuant to § 2241 [Doc. No. 1] is DENIED; and
3. This matter is DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

BY THE COURT:

Dated: September 6, 2022

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge